

## REMARKS

Claims 1-19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The term "comprises . . . or otherwise or" in claim 1 is indefinite in intended meaning. Claim 1 has been amended to delete the unintentional second "or" in such term. Reconsideration of this rejection is accordingly respectfully requested.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Morigaki et al., the Examiner stating that Morigaki et al. (see particularly column 2, line 31 - column 4, line 63; column 37, line 67 - column 38, line 68; column 82, lines 38-55) disclose silver halide elements containing yellow color couplers and dye stabilizers or coupler solvents within the scope of those set forth in the instant claims. This rejection is respectfully traversed with respect to the present claims.

Claim 1 has been amended to delete the option that R<sup>1</sup> and R<sup>2</sup> or R<sup>3</sup> and R<sup>4</sup> may combine together to form a ring with the associated nitrogen atom to which they are attached, and to include the requirements of original dependent claim 4 that at least two of such groups comprise cyclic, secondary, or otherwise branched chain alkyl groups. Claim 2 has been amended consistent with amended claim 1, and claim 4 has been amended to specifically require that at least two of R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> comprise cyclic alkyl groups. Claim 5 has been amended to require that each of R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> comprise cyclic, secondary, or otherwise branched chain alkyl groups. Support for such amendments is found, e.g., at page 6, lines 26-27, and page 46, lines 12-23 of the specification. Compounds A-14, 41, 42 and 45 referenced by the Examiner are not within the scope of the instant amended claims. It would further not have been obvious based on the teachings of Morigaki et al. to modify such compounds, as it is an express requirement of Morigaki et al. that such compounds comprise N-containing heterocyclic rings. Further, Applicants have demonstrated unexpected advantageous results where at least two of such groups independently comprise cyclic, secondary, or otherwise branched chain alkyl groups, and especially wherein at least two of such groups

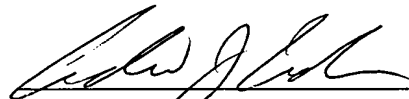
comprise cyclic alkyl groups. Reconsideration of this rejection is accordingly respectfully requested.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Seto et al. '713, the Examiner stating that Seto et al. '713 (see particularly column 49, lines 20-50; column 114, lines 1-15; compounds A-41, 42, 43; compounds B-8, 9, 12, 13, 17, 18) disclose silver halide elements containing yellow color couplers and stabilizers or solvents within the scope of those set forth in the instant claims. This rejection is respectfully traversed with respect to the present claims.

As explained above, Claim 1 has been amended to delete the option that R<sup>1</sup> and R<sup>2</sup> or R<sup>3</sup> and R<sup>4</sup> may combine together to form a ring with the associated nitrogen atom to which they are attached, and to include the requirements of original dependent claim 4 that at least two of such groups comprise cyclic, secondary, or otherwise branched chain alkyl groups. The use of Compounds A-41, 42, 43 of Seto et al. is thus clearly distinguished. Claim 1 has been further amended to include the limitation that p = 1 (support found, e.g., at page 5, line 31), clearly distinguishing from use of compounds B-6 through B-15 of Seto et al. Compounds B-16 through B-20 of Seto et al. also fail to teach or suggest the use of the compounds of Formula I of amended claim 1, as none of such compounds have at least two R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> groups comprising cyclic, secondary, or otherwise branched chain alkyl groups. It would further not have been obvious based on the teachings of Seto et al. to modify such compounds, as Applicants have demonstrated unexpected advantageous results where at least two of such groups independently comprise cyclic, secondary, or otherwise branched chain alkyl groups in comparison to similar compounds employing non-branched alkyl groups, such as are employed in compounds B-17 to B-19, and especially wherein at least two of such groups comprise cyclic alkyl groups. Reconsideration of this rejection is accordingly respectfully requested.

In view of the foregoing amendments and remarks, reconsideration of this patent application is respectfully requested. A prompt and favorable action by the Examiner is earnestly solicited. Should the Examiner believe any remaining issues may be resolved via a telephone interview, the Examiner is encouraged to contact Applicants' representative at the number below to discuss such issues.

Respectfully submitted,



Attorney for Applicant(s)  
Registration No. 33,564

Andrew J. Anderson/vjr  
Rochester, NY 14650  
Telephone: (585) 722-9662  
Facsimile: (585) 477-1148